

**SYNOPSIS OF LITIGATION FOR CUMBERLAND COUNTY  
OCTOBER 1, 2014, THROUGH SEPTEMBER 30, 2015**

**#1**

**Name of Case:** Spec Ops Expo; Spec-Ops Expo; Spec Ops; Special Operations Expo; Special Operations Exposition and Trade Show, Inc.; Special Operations Exposition & Conference; Thomas Bumback; and J. K. Idema v. The Lodestar Group, LLC; Defense Trade Shows; Catherine Vilga; Jeanne Eury; Robert E. Besal; Grainger R. Barrett; Rick Reno; Dionne LeBlanc-Hill; Cumberland County Civic Center; Crown Center; Cumberland County Civic Center Commission; Cumberland County Civic Center Commission, d/b/a Crown Center and d/b/a Crown Coliseum; Crown Center a/k/a Coliseum; and John Does 1-12; in their official and unofficial capacities

United States District Court for the Southern District of New York  
Case No.: 08 CVS 3824 (PAC)

**Date of the Complaint or Claim:** April 22, 2008

**What is the Complaint or Case About:** Breach of contract, defamation

**What is the Relief Sought:** Monetary damages.

**What is the Current Status of the Case or Claim:** Attorney David Schulz of the firm, Levine Sullivan Koch & Schulz, LLP, has been retained as local counsel for all county defendants. The matter is still pending in the U. S. District Court for the Southern District of New York. According to court records, there has been no activity in this case since September 2008. A Minute Order was entered by the court on May 31, 2011, showing the case as not open for statistical purposes. Plaintiff J. K. Idema died in 2012.

**What is the Prognosis of Recovery:** Highly unlikely

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** N/A

**What is the Date this Case or Claim was Closed:** Open.

**Who is the Attorney Representing the County and/or its Employees:** Ronnie Mitchell, David Schultz, Jack Carter (representing Grainger Barrett, now deceased), Steven Stokes, and Reginald Gillespie

**#2**

**Name of Case:** Samuel and Doris Fort; Julie Katherine Faircloth; Raeford B. Lockamy II; OK Farms of Cedar Creek, LLC; and Arnold Drew Smith, Petitioners, v. County of Cumberland and TigerSwan, Inc., Respondents.  
Cumberland County Superior Court  
Case No.: 12-CVS-8440

**Date of the Complaint or Claim:** September 25, 2012

**What is the Complaint or Case About:** Appeal of decision of Board of Adjustment upholding grant of zoning permit

**What is the Relief Sought:** Reversal of decision to grant zoning permit with a claim for attorney fees

**What is the Current Status of the Case or Claim:** Closed. The Court of Appeals reversed trial court and upheld county's issuance of a permit in a decision published August, 2014. Plaintiffs petitioned N. C. Supreme Court for discretionary review, and the Supreme Court denied the petition.

**What is the Prognosis of Recovery:** N/A

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** None.

**What is the Date this Case or Claim was Closed:** December 29, 2014.

**Who is the Attorney Representing the County and/or its Employees:** Rickey Moorefield, Co. Atty., and Rob Hasty, Asst. Co. Atty., are representing county only

**#3**

**Name of Case:** Kenneth C. Nettles and Tami Jernigan Nettles v. County of Cumberland, Reginald M. Kirby and Jacqueline T. Kirby  
Case No.: 13 CVS 4517

**Date of the Complaint or Claim:** June 10, 2013

**What is the Complaint or Case About:** Petitioners challenge the issuance of a Special Use Permit issued by the Cumberland County Board of Adjustment to Mr. and Mrs. Kirby to operate a firing range for profit, specifically so that Mr. Kirby can charge for teaching gun safety classes. The Petitioners are concerned about noise, safety, and a drop in property values if the range operates as set forth in the Permit.

**What is the Relief Sought:** Revocation of the Special Use Permit and attorney fees if the Petitioners prevail.

**What is the Current Status of the Case or Claim:** Closed. The Superior Court ruled in favor of Petitioners and granted attorney fees, and the parties reached a settlement in order to avoid an appeal.

**What is the Prognosis of Recovery:** N/A

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** \$3,000 was paid in settlement.

**What is the Date this Case or Claim was Closed:** April 15, 2015

**Who is the Attorney Representing the County and/or its Employees:** Rob Hasty from the County Attorney's office.

**#4**

**Name of Case:** Samuel and Doris Fort, Julia Katherine Faircloth, Raeford B. Lockamy, II, OK Farms of Cedar Creek, LLC, and Arnold Drew Smith v. County of Cumberland, TigerSwan, Inc., and Precythe Properties, LLC  
Case No.: 13 CVS 9614

**Date of the Complaint or Claim:** April 1, 2014

**What is the Complaint or Case About:** This case is a challenge to the rezoning of land to allow an outdoor firing range.

**What is the Relief Sought:** The Plaintiffs' seek to have the rezoning declared unlawful and void, and they seek attorney fees if they prevail.

**What is the Current Status of the Case or Claim:** Closed. The Plaintiffs filed a voluntary dismissal of this action.

**What is the Prognosis of Recovery:** N/A

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** N/A

**What is the Date this Case or Claim was Closed:** November 20, 2014

**Who is the Attorney Representing the County and/or its Employees:** Rick Moorefield and Rob Hasty from the County Attorney's office.

**#5**

**Name of Case:** Jackie Blue v. Cumberland County  
Case No.: 5:14-CV-86-BO

**Date of the Complaint or Claim:** February 20, 2014

**What is the Complaint or Case About:** Plaintiff alleges the Crown Complex is not compliant with the Americans with Disabilities Act (ADA).

**What is the Relief Sought:** Injunctive Relief and Attorney Fees/costs

**What is the Current Status of the Case or Claim:** The parties reached a settlement at a mediated settlement conference, and final approval should be made when settlement documents are executed.

**What is the Prognosis of Recovery:** N/A

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** \$45,000 will be paid in settlement for fees and costs (along with agreeing to make the required alterations to make the buildings compliant with the ADA).

**What is the Date this Case or Claim was Closed:** N/A

**Who is the Attorney Representing the County and/or its Employees:** Rob Hasty from the County Attorney's office

**#6**

**Name of Case:** Glenn Henderson v. Jim Ammons, Mary Ann Tally, Nathan Hatch, Cape Fear Valley Medical Center, Fayetteville, NC, Cumberland County, NC, State of NC, Wake Forest University, Bank of America, Fayetteville Technical Community College, Eaton, BB&T, Methodist University, Cape Fear Staffing, WF Doe, Does on WF Incident Report Committee  
Case No.: 5:14-CV-210-BR

**Date of the Complaint or Claim:** April 4, 2014

**What is the Complaint or Case About:** Plaintiff has made rambling allegations against numerous unrelated defendants. As to Cumberland County, he alleges he should have been hired for positions for which he applied.

**What is the Relief Sought:** Monetary Damages

**What is the Current Status of the Case or Claim:** The Defendants, including Cumberland County, filed Motions to Dismiss, and the U.S. District Court granted all of the Motions to Dismiss. Mr. Henderson appealed to the U.S. Court of Appeals which affirmed the Dismissals. Mr. Henderson has petitioned the U.S. Court of Appeals for further review.

**What is the Prognosis of Recovery:** highly unlikely

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** N/A

**What is the Date this Case or Claim was Closed:** N/A

**Who is the Attorney Representing the County and/or its Employees:** Rob Hasty from the County Attorney's office

**#7**

**Name of Case:** Ashley Worlock v. County of Cumberland, Melissa Grimes-Gooden, Tyrongella Davis, Kimberly Koch, Mary McCoy, Brenda Reid Jackson, and Lelia Goode-Eatmon  
Case No.: 4:14-CV-0102-BR

**Date of the Complaint or Claim:** June 10, 2014

**What is the Complaint or Case About:** Plaintiff alleges her constitutional rights were violated by the County and DSS employees when her family was separated during an investigation of child abuse pertaining to her husband.

**What is the Relief Sought:** Monetary Damages

**What is the Current Status of the Case or Claim:** Closed. Defendants' Motion to Dismiss was granted.

**What is the Prognosis of Recovery:** N/A

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** N/A

**What is the Date this Case or Claim was Closed:** November 5, 2014

**Who is the Attorney Representing the County and/or its Employees:** Rob Hasty from the County Attorney's office.

**#8**

**Name of Case:** Roundpoint Asset Management, Inc. v. Cumberland County  
Case No.: 15 CVS 2787

**Date of the Complaint or Claim:** April 15, 2015

**What is the Complaint or Case About:** This case is a challenge to an order to demolish a house due to the property not being able to maintain a viable septic system.

**What is the Relief Sought:** The Plaintiff purchased the property at auction and seeks to permanently enjoin the demolition so that a new type of septic system can be installed as well as actual and punitive damages and attorney fees.

**What is the Current Status of the Case or Claim:** The Court issued a Temporary Restraining Order which has been extended numerous times and currently expires November 30, 2015. The Plaintiff did get a permit from the State of North Carolina to install the new septic system and is working with an engineer to get it installed.

**What is the Prognosis of Recovery:** It appears unlikely that the Plaintiff will receive any monetary recovery. If the septic system is installed, the case will likely be dismissed.

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** N/A

**What is the Date this Case or Claim was Closed:** N/A

**Who is the Attorney Representing the County and/or its Employees:** Rob Hasty from the County Attorney's office.



**#9**

**Name of Case:** Amber N. Davis v. Cumberland County, Christopher Eaton, and Robin Eaton  
Case No.: 15 CVS 2405

**Date of the Complaint or Claim:** April 1, 2015

**What is the Complaint or Case About:** The Plaintiff alleges her dog was lost, turned in to Cumberland County Animal Control as a stray and adopted out. She alleges the adoption was improper and seeks the dogs return.

**What is the Relief Sought:** The Plaintiff seeks the return of her dog. She also seeks damages for breach of contract and various torts.

**What is the Current Status of the Case or Claim:** Defendants have filed Motions to Dismiss which will be argued in December, 2015, and Motions for Summary Judgment will also be filed and argued in December, 2015, should the Motions to Dismiss be denied.

**What is the Prognosis of Recovery:** It is estimated there is about a seventy five per cent chance that the Motions to Dismiss and/or Motions for Summary Judgment will be granted.

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** If Plaintiff does prevail, most likely no monies will have to be paid as the case primarily revolves around the return of the dog.

**What is the Date this Case or Claim was Closed:** N/A

**Who is the Attorney Representing the County and/or its Employees:** Rob Hasty from the County Attorney's office.

**#10**

**Name of Case:** Clifford Leon Lee, II v. Cumberland County, Angela Campbell, Sheriff Butler, et al.

Case No.: 14 CVS 9502

**Date of the Complaint or Claim:** December 9, 2014

**What is the Complaint or Case About:** Plaintiff alleges he was wrongly arrested for failing to pay child support. Plaintiff is a former attorney representing himself pro se.

**What is the Relief Sought:** The Plaintiff is seeking damages for negligence, false imprisonment, and intentional infliction of emotional distress.

**What is the Current Status of the Case or Claim:** Although the case was filed in 2014, the Plaintiff has not perfected service on many of the defendants, including former county employee Campbell. A Motion to Dismiss has been filed on behalf of Cumberland County and the Co-Defendants in the Sheriff's office.

**What is the Prognosis of Recovery:** It is highly unlikely Plaintiff will prevail in this matter.

**What is the Amount Either Paid or Probably Will be Paid in Settlement or Judgment:** It is doubtful any monies will be offered in settlement of this matter or that Plaintiff will ultimately prevail.

**What is the Date this Case or Claim was Closed:** N/A

**Who is the Attorney Representing the County and/or its Employees:** Rob Hasty from the County Attorney's office.